

### **REMARKS**

In response to the Office Action mailed July 6, 2009, the Assignee (i.e., Nuance Communications, Inc.) respectfully requests reconsideration. Claims 24 and 25 were previously pending in this application. No claims are amended, canceled or added. As a result, claims 24 and 25 are pending for examination, both of which are independent. No new matter has been added.

### **Rejections Under 35 U.S.C. §103**

The Office Action rejects claims 24 and 25 under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Publication No. 20020032564 (Ehsani) in view of U.S. Patent No. 6,173,266. The Assignee respectfully traverses this rejection.

#### **A. Brief Recap of Embodiments**

As discussed in the Response to the final Office Action (Previous Response), which is herein incorporated by reference, some embodiments described in the Specification of the present application address conflicts that may arise when a designer of a call flow uses both an existing grammar along with one or more designer defined response options (paragraph [0021] and FIGS. 3A, 3B and 4). For example, when a call flow designer uses an existing grammar, the designer may not know precisely what user responses are defined as valid in the grammar (paragraph [0004]). When the designer defines a prompt to be triggered for a designer defined response, a conflict may arise if the designer defined response is also defined in the existing grammar (paragraph [0021] and FIGS. 3A, 3B and 4). In particular, if the existing grammar defines a user response that is also defined by the designer and which triggers a prompt that is different than the prompt assigned by the designer to the same user response, the incorrect prompt may be provided to the user (paragraph [0021] and FIGS. 3A, 3B and 4).

Some embodiments address such conflicts by identifying circumstances in which valid responses in at least one existing grammar and a designer defined response option are associated with the same prompt yet trigger different prompts by automatically searching the at least one grammar for the response option. If the designer defined response is found in the at least one existing grammar, the system presents the prompt triggered by the response option even though the user response is also defined in at least one existing grammar (paragraph [0021] and FIGS. 3A, 3B

and 4). Thus, the system avoids conflicts and allows the designer to combine existing grammars with designer defined response options without requiring the designer to know what valid responses are defined in the existing grammars (paragraph [0018]).

The foregoing summary is provided to assist the Examiner in appreciating some applications for various aspects of the invention. However, this summary may not apply to each of the independent claims, and the language of the independent claims may differ in material respects from the summary provided above. Thus, the Assignee respectfully requests that careful consideration be given to the language of each of the independent claims and that each be addressed on its own merits, without relying on the summary provided above. In this respect, the Assignee does not rely on the summary provided above to distinguish any of the claims over the prior art. Rather, the Assignee relies only upon the arguments provided below.

B. Claims 24 and 25 Distinguish Over Ehsani and Marx

The Office Action concedes that Ehsani fails to teach “adding a representation of a second prompt to the call flow representation” or “adding a representation of a third prompt to the call flow representation the third prompt is presented to the user instead of the second prompt when the user responds to the first prompt with the response option.” However, the Office Action asserts that Marx discloses these limitations. Applicant respectfully disagrees that Marx discloses such features.

As discussed in the previous response, Ehsani describes using a thesaurus to create a comprehensive grammar of valid user responses, but has nothing to do with resolving conflicts that may arise when valid responses defined in at least one existing grammar and a response option both define valid responses to the same prompt, but each are designed to trigger different prompts. Marx does not cure this deficiency. While Marx discloses various techniques for operating a call flow, as with Ehsani, Marx has nothing to do with techniques to handle the situation in which an existing grammar and a response option included in list of valid responses in the existing grammar are associated with the same prompt, yet trigger different prompts when the response is received. The Office Action cites various passages in Marx, primarily those having to do with a call flow that disambiguates a caller’s request when queried by an automatic directory service as to who the caller

would like to connect with. However, the Office Action nowhere indicates (or even alleges) how this disclosure meets the stated deficiencies of Ehsani.

Indeed, the cited portions of Marx (and Marx in its entirety) are completely silent with respect to the limitations that the Office Action concedes are missing. Specifically, claim 24 recites a method for generating a speech recognition application call flow from a call flow representation of the speech recognition application call flow specified by a designer using a user interface configured to allow the designer to create the call flow representation, and claim 25 recites at least one computer readable medium having instructions that when executed perform such a method. The method comprises:

- adding a representation of a first prompt to the call flow representation in response to at least one designer instruction, received via the user interface, to add the first prompt, the first prompt being defined to solicit a response from a user of the speech recognition application call flow;

- adding a representation of at least one grammar, selected by the designer from a list of existing grammars, to the call flow representation in response to at least one designer instruction, received via the user interface, to add the at least one grammar in association with the first prompt, the at least one grammar defining valid responses to the first prompt;

- adding a representation of a response option to the call flow representation in response to at least one designer instruction, received via the user interface, to add the response option in association with the first prompt, the response option defining a valid response to the first prompt;

- adding a representation of a second prompt to the call flow representation in response to at least one designer instruction, received via the user interface, to add the second prompt, the second prompt to be provided to the user should the user respond to the first prompt with one of the valid responses defined in the at least one grammar;

- adding a representation of a third prompt to the call flow representation in response to at least one designer instruction, received via the user interface, to add the third prompt, the third prompt to be provided to the user should the user respond to the first prompt with the response option; and

- automatically generating the speech recognition application call flow from the call flow representation such that if the response option is defined as a valid response in the at least one grammar, the third prompt is presented to the user instead of the second prompt when the user responds to the first prompt with the response option.

Accordingly, a number of elements must be present and associated in the appropriate way for the claim limitations to be met:

- 1) The at least one grammar defining valid responses and the response option must be associated with the same prompt (i.e., the first prompt).
- 2) The valid responses in the at least one grammar and the response option must trigger different prompts (i.e., the second prompt and third prompt, respectively).
- 3) If the response option is also one of the valid responses in the at least one grammar, then the prompt associated with the response option (i.e., the third prompt) is provided to the user instead of the prompt associated with the valid responses of the at least one grammar (i.e., the second prompt) when the response option is received.

The combination of the Ehsani and Marx simply does not meet all of the above requirements. Specifically, even if one could construe Ehsani and Marx to disclose or suggest 1) and 2) (which the Assignee does not believe is the case), the combination of Ehsani and Marx does not disclose or suggest “automatically generating the speech recognition application call flow from the call flow representation such that if the response option is defined as a valid response in the at least one grammar, the third prompt is presented to the user instead of the second prompt when the user responds to the first prompt with the response option,” as recited in claims 24 and 25. Therefore, claims 24 and 25 patentably distinguish over Ehsani and Marx, either alone or in combination, and are in allowable condition.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance to discuss any outstanding issues relating to the allowability of the application.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Assignee hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. N0484.70566US00.

Dated: October 6, 2009

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